

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1727 be amended to read as follows:

- 1       Page 2, between lines 26 and 27, begin a new paragraph and insert:
- 2       "SECTION 3. IC 12-10-10-13 IS ADDED TO THE INDIANA
- 3       CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4       [EFFECTIVE JULY 1, 2001] **Sec. 13. (a) The office shall determine**
- 5       **whether an individual who is receiving services through the**
- 6       **program is eligible to receive services under a Medicaid home and**
- 7       **community based waiver (42 U.S.C. 1396 et seq.).**
- 8       **(b) If the office determines that an individual who is receiving**
- 9       **services through the program is eligible to receive services under**
- 10       **a Medicaid home and community based waiver:**
- 11       **(1) the individual must be provided services under the waiver;**
- 12       **and**
- 13       **(2) the services provided to the individual must be paid for**
- 14       **using funds appropriated to the program.**
- 15       **(c) Federal funds received for providing services to an**
- 16       **individual under subsection (b) must be used as follows:**
- 17       **(1) Fifty percent (50%) for funding services under the**
- 18       **program.**
- 19       **(2) Fifty percent (50%) for funding waiver services.**
- 20       **(d) The division shall assist the office in implementing this**
- 21       **section."**
- 22       Page 6, between lines 2 and 3, begin a new paragraph and insert:
- 23       "SECTION 11. [EFFECTIVE UPON PASSAGE] **(a) As used in**
- 24       **this SECTION, "office" refers to the office of Medicaid policy and**
- 25       **planning established by IC 12-8-6-1.**
- 26       **(b) As used in this SECTION, "waiver" means a Section 1915(c)**
- 27       **waiver under the federal Home and Community-Based Services**
- 28       **Program (42 U.S.C. 1396 et seq.).**
- 29       **(c) Before July 1, 2001, the office shall apply to the United States**
- 30       **Department of Health and Human Services for the approval**
- 31       **necessary to implement IC 12-10-10-13, as added by this act.**

1       (d) The office may not implement IC 12-10-10-13, as added by  
2       this act, until the office files an affidavit with the governor that  
3       attests that the approval applied for under subsection (c) is in  
4       effect. The office shall file the affidavit under this subsection not  
5       later than five (5) days after the office is notified of the approval.

6       (e) If the office receives an approval under this SECTION from  
7       the United States Department of Health and Human Services and  
8       the governor receives the affidavit filed under subsection (d), the  
9       office shall implement IC 12-10-10-13, as added by this act, not  
10      more than sixty (60) days after the governor receives the affidavit.

11      (f) This SECTION expires July 1, 2006."

12      Renumber all SECTIONS consecutively.

(Reference is to EHB 1727 as printed April 6, 2001.)

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Senator ALEXA